

The Hon. Sylvia O. Hinds-Radix
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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NEW YORK, NY 10007

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April 27, 2022

VIA ECF

Hon. Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *M.B. v. New York City Dep't of Educ.*, 21-cv-10085 (KPF)(SDA)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request a 30-day extension of Defendant's time to respond to the complaint, and a 30-day extension of the joint status letter deadline, both from May 2, 2022 to June 2, 2022. Plaintiff consents to these requests. This is the first request for an extension of the joint status letter deadline and the second request for an extension of the answer deadline. The first request was made on December 16, 2021 and granted by Your Honor on February 1, 2022. The requested extensions would provide Defendant with sufficient time to receive settlement authority from the Office of the New York City Comptroller, and then make an initial settlement offer to Plaintiff. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to June 2, 2022, and that the joint status letter deadline also be extended to June 2, 2022.

Thank you for considering these requests.

Respectfully submitted,

/s/

Martha Nimmer, Esq.
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)

Application GRANTED. Defendant shall have until June 2, 2022, to answer the complaint in this matter. Further, the parties shall have until June 2, 2022, to submit a joint status letter to the Court regarding the progress of this case.

The Clerk of Court is directed to terminate the pending motion at docket entry 17.

Dated: April 28, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE